

VZCZCXYZ0000
OO RUEHWEB

DE RUEHML #0236 0350436
ZNR UUUUU ZZH
O 040436Z FEB 09
FM AMEMBASSY MANILA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3072
RUEHC/DEPT OF LABOR WASHDC IMMEDIATE
INFO RUEHBJ/AMEMBASSY BEIJING IMMEDIATE 6494
RUEHBU/AMEMBASSY BUENOS AIRES IMMEDIATE 0035
RUEHBK/AMEMBASSY BANGKOK IMMEDIATE 3081

UNCLAS MANILA 000236

SIPDIS

STATE FOR DRL/ILCSR MARK MITTELHAUSER
STATE FOR G/TIP STEVE STEINER
LABOR FOR DOL/ILAB RACHEL RIGBY

E.O. 12958: N/A
TAGS: [EIND](#) [ELAB](#) [ETRD](#) [PHUM](#) [SOCI](#) [KTIP](#) [RP](#)
SUBJECT: COMMENT ON DOL DRAFT LIST FOR TVPRA

REF: A. SECSTATE 1730
[B](#). 2008 MANILA 1383
[C](#). MANILA 102
[D](#). BUENOS AIRES 050
[E](#). BEIJING 100

[1](#). Embassy Manila appreciates the opportunity to comment on the Department of Labor's (DOL) draft Trafficking Victims Protection Reauthorization Act (TVPA) report (reftel A), which lists goods that DOL/ILAB believes are produced by forced labor or child labor in violation of international standards. While post has no additions or deletions to recommend to the draft list of goods, we request that DOL provide to post the basis for the inclusion of "hogs" on the draft list for the Philippines. Post did not report on child labor involvement in the hog industry in reftel B, and recent conversations with the Philippine Department of Labor and Employment (DOLE), the NGO World Vision, and the local ILO office pursuant to preparation of our 2008 report on Child Labor Information For The Trade And Development Act (GSP), reftel C, did not outline any known incidents of child labor in the hog industry. We would also like to underscore post's reftel B comments that reliable statistics do not exist on the incidence and prevalence of child labor in the production of the goods on DOL's draft list. Post shares the concerns expressed in reftels D and E, regarding the draft list being used as a basis for sanctions without DOL first properly documenting the incidence and prevalence of child labor in the listed goods. Post requests that DOL provide information on the sources and methodology used to compile the list so that we will be better equipped to manage any negative publicity and queries from host government officials and business leaders.

[2](#). Post reported in reftel B that while sugar cane, pyrotechnics, gold ores, and tobacco are sometimes produced with exploitative child labor in the Philippines, we could find no reliable data on the subject. We also reported that underage workers on sugarcane plantations are typically the children of adult sugar workers or peasants who live on or just outside the plantations. TQre are no available estimates on the number of children working on tobacco plantations. Although World Vision witnessed children working on rice, corn, and banana plantations in certain areas, and an ILO study identified child laborers in sugar, rubber, and banana farming, it is difficult to determine the rate of incidence without further data or additional anecdotal evidence. The use of child labor in the manufacture of pyrotechnics and fashion accessories typically follows a complex sub-contracting supply chain wherein a buyer or distributor orders the materials from a small producer. These small producers then share the orders with groups of families with small workshops in their homes or

within their villages. The production of these items is essentially a cottage industry and is therefore very difficult to quantify.

13. As detailed in reftel C, the Philippine government has enacted the necessary laws to identify and eliminate the worst forms of child labor and, in conjunction with its strategic partners, is working to deter child labor. The effectiveness of the government's efforts, however, is limited by lack of funds and the prevailing socioeconomic realities of life in the rural communities where many of the child laborers are working. The children usually work alongside their parents as informal and undocumented laborers. During conversations with DOLE and World Vision, post learned that the Philippine Government and various NGOs are working to eliminate child labor by focusing their efforts on educating the parents of child laborers on parental responsibilities and by providing awareness training to the affected communities on child labor and children's rights.

KENNEY